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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/750,641	12/16/96	SATO	K 77792/23

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PM92/1123

EXAMINER

HERNANDEZ, O

ART UNIT

PAPER NUMBER

3661

DATE MAILED:

11/23/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

08/750,641

Applicant(s)

Sato et al.

Examiner

Olga Hernandez

Group Art Unit

3661



☒ Responsive to communication(s) filed on Oct 22, 1999

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

- ☒ Claim(s) 1-10 is/are pending in the application.  
Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-6 is/are rejected.
- ☒ Claim(s) 7-10 is/are objected to.
- ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☒ received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- ☒ Notice of References Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) \_\_\_\_\_
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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**DETAILED ACTION**

***Response to Amendment***

***Response to Arguments***

1. Applicant's arguments filed on October 22, 1999 have been fully considered but they are not persuasive.

Travel planning system teaches 4 different spaces in which the user can enter his/her intermediate destination (<http://www.travelersnet.com> Internet Booking System), in addition to the departure destination and arrive destination. Furthermore, the travel planning system gives to the user the option to select the desired time.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garback, US Patent No. 5,237,499 in view of a travel planning system ([travelersnet.com](http://travelersnet.com)).

As per claim 1, Garback discloses a computer travel planning system which has a capacity of entering at least destination information (column 2, lines 55-63). Garback does not teach entering the desired arrival time information and a transfer order based on the desired arrival time.

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A travel planning system (e.g. American Airlines) use a system which entering at least a desired arrival time information. Further, the system include how to prepare a basic frame of a schedule including types of intermediate and final locations, and a transfer order, based on the desired time information (*see* the web site attachments). Additionally, Ahlmstrom et al, US Patent No. 4,862,357 teach how to implement the time information (*see* column 1, lines 39-44).

It would have been obvious to one having ordinary skill in the art to combine Garback's computer traveling system with the traveling planning system (web site attachments) in order to make easier and enhance the schedule for people whom are traveling.

As per claim 2, the web site present practically the same as applicant claimed (see the attachments).

As per claim 3, it is old and well known in the electric art that the Internet system works like a big network around the world. Further, the network have the capacity to do the same of the applicant claimed.

As per claim 4, it is old and well known in the electric art to use a touch switch (like a touch pad mouse) for enter information.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Garback, US Patent No. 5,237,499 in view of a travel planning system (travelersnet.com) as applied to claim 1 above, and further in view of Nimura et al, US Patent No. 5,757,289.

As per claim 5, Nimura et al teach a route searching means for searching a route for carry out the schedule using map data (column 15, lines 46-56).

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*Allowable Subject Matter*

5. Claims 6-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Kanemitsu, US Patent No. 5,924,075 discloses an itinerary preparing system.
- Webber et al, US Patent No. 5,331,546 disclose a trip planner optimizing travel itinerary selection conforming to individualized travel policies.
- Maps.com (www.maps.com), discloses a Geo Zone Route Planner.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olga Hernandez whose telephone number is (703) 305-0918. The examiner can normally be reached on Monday - Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, W. Cuchlinski, can be reached on (703) 308-3873. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3597.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



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